

EA



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,595	10/01/2003	Murat Kirakosyan	KIR1-N58	7987

7590 09/08/2005

Harold L. Jackson  
 Jackson Law Corporation  
 Ste. N  
 14751 Plaza Dr.  
 Tustin, CA 92780

EXAMINER

COOLMAN, VAUGHN

ART UNIT	PAPER NUMBER
----------	--------------

3618

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/676,595

Applicant(s)

KIRAKOSYAN, MURAT

Examiner

Vaughn T. Coolman

Art Unit

3618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f):
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION*****Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

14b(page 4, line 13), 22(page 4, line 18), 24a(page 4, line 20), 24b(page 4, line 20), and 36b(page 4, line 29). For the purpose of examination, reference sign 36b is interpreted as reference sign 30b. However, for the remaining items, corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

24d(FIG 1). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an

Art Unit: 3618

application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "12" has been used to designate both a lateral side wall and a forward support rod in FIG 1. Examiner suggests editing the drawing by removing the reference character "12" designating the lateral side wall. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Specification***

The disclosure is objected to because of the following informalities: the reference character, "16" is unclear and suggested to be changed to "14" (page 4, line 12), the term "respectively" is used in error (page 4, line 24). Examiner suggests deleting said term.

Appropriate correction is required.

#### ***Claim Objections***

Art Unit: 3618

Claims 1, 3, 11, 17, and 25 are objected to because of the following informalities:

Claim 1 and claim 3 - use of the term “visa versa”(line 12 and line 5, respectively), examiner suggests replacing said term with an explicit description such as “from the deployed to the retracted position”; claim 1 – the phrase “to be removed and from or installed in the frame”(lines 14-15) is unclear; claim 11 – the term “lease”(line 1) appears to be a misspelling of the term “least”; claim 17 – the phrase “include a back wall and“(line 1) is a double inclusion of elements from the independent claim, examiner suggests deleting the phrase; claim 25 - the phrase “junction of the bottom of back walls”(line 2) is unclear. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 3, 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper (US 3,193,339) in view of Fredrickson (US 4,627,542).

In re claim 1, Cooper discloses an organizer comprising: a generally rectangular frame member having opposing side walls, a top, base, front and rear (FIG 1, item 11); a plurality of generally U-shaped tray members (FIG 1, item 16), each tray member defining an open top (FIG 1, item 25) lying generally in a plane, the tray members being releasably mounted (FIG 2, item 18, 20, 21) in a vertical array arrangement (Column 3, lines 28-31) for rotation between a deployed position in which the planes of the open tops are generally parallel to the front of the frame (FIG 1, at right) and a retracted position in

Art Unit: 3618

which the planes of the open tops extend at an acute angle to the front of the frame (FIG 1, second tray from left). However, Cooper does not show the tray members mounted to the side walls or a gang bar member slidably mounted on the frame and releasably coupled to the tray members. Fredrickson teaches both a mounting of tray members to the side walls (FIG 1, items 18-20) and the use of said gang bar member (FIG 1, item 30) so that the tray members (FIG 1, item 60) when positioned in the frame (FIG 1, item 12) will move in unison from the retracted to the deployed position and from the deployed to the retracted position (FIGS 6, 7). Also, Fredrickson teaches a mounting between the individual tray members and a coupling between the gang bar and the individual tray members (Column 4, lines 41-42) that allows one or more of the tray members to be removed from and installed in the frame (Column 6, lines 43-44). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the organizer taught by Cooper, with a mounting and gang bar as taught by Fredrickson, since such modifications would provide both the means to pivot the vertical arrangement of tray members in unison from a storage to a display position for removal of objects from the tray members and free up area on the front wall of the organizer to widen the tray members for greater storage capacity.

In re claim 2, Cooper in view of Fredrickson discloses all of the features of the claimed invention as described above. Cooper further includes a releasable mounting between the frame member and the tray members shown in FIGS 1 and 2 as a pair of pivot pins (FIG 1, items 18) associated with each tray member (FIG 1, item 16) secured to one of the frame and tray members and a pair of cooperating inclined channels (FIG 1, item 21) associated with each tray member.

Art Unit: 3618

In re claim 3, Cooper in view of Fredrickson discloses all of the features of the claimed invention as described above. Fredrickson also teaches a coupling between the gang bar member and each of the individual tray members shown as an actuating pin (FIG 5, item 69) located on the tray member and a cooperating pin receptacle (FIG 3, item 31) on the gang bar member whereby when the gang bar is moved in one direction the tray members are rotated from the retracted to the deployed position (Column 4, lines 41-44). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the organizer taught by Cooper, with the coupling to a gang bar as taught by Fredrickson, since such a modification would allow easy removal of one or more tray members as disclosed by Fredrickson (Column 6, line 43-44).

In re claim 4, Cooper in view of Fredrickson discloses all of the features of the claimed invention as described above. Fredrickson further shows a releasable mounting between the frame and the tray members that includes a pair of oppositely disposed inclined channels on the side walls of the frame for each tray member (FIG 15, items 18-20). Each of the channels terminates in a pin receiving recess with the pin receiving recesses of each pair of channels being associated with a respective tray member aligned along a horizontal pivot axis and cooperating pivot pins secured to each end walls of the tray members (Column 4, lines 30-33). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the organizer taught by Cooper, with a releasable mounting as taught by Fredrickson, since such a modification would provide more area on the front wall of the organizer to widen the tray members for greater storage capacity as stated above.

Art Unit: 3618

Claims 5, 6, 7, 10, 11, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper (US 3,193,339) in view of Fredrickson (US 4,627,542) as applied to claims 1-4 above, and further in view of Gonzalez (US 5,159,777).

In re claim 5, Cooper in view of Fredrickson discloses all of the features of the claimed invention as described above. However, the disclosure of the location of the center of gravity of each of the trays is lacking. Gonzalez teaches a tool box tray member (FIG 1, item 23) where the center of gravity is located below the respective pivot axis, defined in columns 3, lines 62-68, and shown as items 25a, 26a in FIG 1. Gonzalez discloses that the arrangement described heretofore is to effect pivotal mounting of the tray relative to the cart structure. Gonzalez also shows the tray of his invention to rotate automatically when the frame is moved from a horizontal position (FIG 2) to a vertical position (FIG 1). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the organizer taught by Cooper and Fredrickson, with a pivoting tray arrangement as taught by Gonzalez, since such a modification would allow the tool box, likewise items inside the tool box, to remain in an upright position relative to the ground regardless of the orientation of the frame relative to the ground.

In re claim 6, Cooper in view of Fredrickson further in view of Gonzalez discloses all of the features of the claimed invention as described above and Gonzalez further includes an elongated tray (FIG 1, item 30) with front, back and bottom walls joined to opposed end walls and wherein the free edges of the front and back and end walls define the perimeter of the tray open top, with the perimeter lying substantially in a plane. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the organizer taught by Cooper and Fredrickson, with an



Art Unit: 3618

elongated tray as taught by Gonzalez, since such a modification, according to Gonzalez, would allow the tray to receive various components (Column 4, lines 19-21).

In re claim 7, Cooper in view of Fredrickson further in view of Gonzalez discloses all of the features of the claimed invention as described above. Cooper and Fredrickson each include a frame with a base that is inherently capable of supporting the frame in a generally vertical position (Cooper - FIG 1, item 11; Fredrickson - FIG 1, item 12).

In re claim 10, Cooper in view of Fredrickson further in view of Gonzalez discloses all of the features of the claimed invention as described above. Gonzalez further shows a tray (FIG 1, item 30) wherein the front, bottom, and back walls are perforated. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the organizer taught by Cooper and Fredrickson, with a perforated tray as taught by Gonzalez, since such a modification, according to Gonzalez, would allow the tray to receive various components for drainage (Column 4, lines 19-21).

In re claim 11, Cooper in view of Fredrickson further in view of Gonzalez discloses all of the features of the claimed invention as described above. Cooper also teaches an organizer tray wherein the front, bottom, and back walls of at least one of the trays are solid (FIG 1, items 23, 27).

In re claim 12, Cooper in view of Fredrickson further in view of Gonzalez discloses all of the features of the claimed invention as described above. Cooper also teaches an organizer tray wherein the junction (FIG 1, item 27) of the front and bottom walls of the trays form a rounded corner.

Art Unit: 3618

Claims 8, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper in view of Fredrickson and Gonzalez as applied to claims 1-7, further in view of Bishop (US 5,799,958).

In re claim 8, Cooper in view of Fredrickson and Gonzalez discloses all of the features of the claimed invention as described above. However, the disclosures of Cooper, Fredrickson, and Gonzalez are lacking hooks secured to the organizer frame. Bishop shows at least one pair of hooks (FIG 6, items 41) secured to the frame of an organizer for allowing the frame to be secured to a cart (FIG 1, item 11). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the organizer taught by Cooper, Fredrickson, and Gonzalez, to include at least one pair of hooks as taught by Bishop, since such a modification, according to Bishop, allows the bins to be positioned on the cart.

In re claim 9, Cooper in view of Fredrickson, Gonzalez, and Bishop discloses all of the features of the claimed invention as described above. Bishop further shows two pair of hooks (FIG 6, items 41) with one pair being located adjacent the top of the frame and the other pair being located adjacent the base of the frame for allowing the frame to be secured to a cart (FIG 1, item 11). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the organizer taught by Cooper, Fredrickson, Gonzalez, and Bishop to include two pairs of hooks as taught by Bishop, since such a modification, according to Bishop, allows the bins to be positioned on the cart according to the spacing of the cart's cross members (Column 4, lines 13-17).

Art Unit: 3618

Claims 13, 14, 15, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper (US 3,193,339) in view of Fredrickson (US 4,627,542), further in view of Gonzalez (US 5,159,777).

In re claim 13, Cooper shows an organizer comprising: a rectangular frame having opposing side walls, a top, base, front and rear sections (FIG 1, item 10); a plurality of upwardly inclined slots open at the front of the frame and vertically spaced (Column 3, lines 28-31) with each pair of opposing slots terminating in pin receiving recesses (FIG 1, item 20), wherein the respective recesses are aligned along a separate horizontal pivot axis; a plurality of generally U-shaped elongated tray members having front, bottom, back and opposed end walls (FIG 1, items 16), each tray member with a pivot pin (FIG 1) item 18) mounted on each end wall (FIG 1, item 17), the pivot pins being positioned within the pin receiving recesses so that each tray is arranged to pivot about a respective horizontal axis (FIG 2). However, Cooper does not disclose side walls defining the plurality of upwardly inclined slots, or a gang bar member slidably mounted on the frame. Fredrickson teaches both side walls defining a plurality of upwardly inclined slots (FIG 1, items 18-20), and a gang bar member (FIG 1, item 30) coupled to each tray via a releasable coupling (Column 4, lines 41-42) to allow the pivot pins of individual trays to be slidably removed from the pin receiving recesses and associated angular slots disclosed by Cooper and for causing trays mounted in the frame to pivot in unison when the bar is moved relative to the frame (FIGS 6, 7). Cooper in view of Fredrickson discloses all of the features of the claimed invention as described above except for a tray member wherein the free edges of the front, back and opposed end walls define an open top. Gonzalez teaches an elongated tray (FIG 1, item 30) with front, back

Art Unit: 3618

and bottom walls joined to opposed end walls wherein the free edges of the front and back and end walls define an open top. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the organizer taught by Cooper, with both a mounting and gang bar as taught by Fredrickson and a tray member as taught by Gonzalez, since such modifications would provide not only the means to pivot the vertical arrangement of tray members in unison from a storage to a display position for removal of objects from the tray members and free up area on the front wall of the organizer to widen the tray members for greater storage capacity, but would also, according to Gonzalez, allow the tray member to receive various components (Column 4, lines 19-21).

In re claim 14, Cooper in view of Fredrickson and Gonzalez discloses all of the features of the claimed invention as described above, and Fredrickson also shows that the afore-mentioned gang bar of his invention as being aligned parallel to the frame side walls (FIGS 1, 3). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the organizer taught by Cooper in view of Fredrickson and Gonzalez

In re claim 15, Cooper in view of Fredrickson and Gonzalez discloses all of the features of the claimed invention as described above, and Fredrickson also shows the afore-mentioned gang bar of his invention as being slidably mounted on the rear center of the organizer frame (FIGS 1, 3, 4, 5).

In re claim 16, Cooper in view of Fredrickson and Gonzalez discloses all of the features of the claimed invention as described above, and Fredrickson also shows a releasable coupling between the gang bar and the individual trays comprises protruding

Art Unit: 3618

pins (FIG 5, item 69) on the tray members (FIG 5, item 60) and cooperating openings (FIG 3, item 31) in the gang bar member, the pin and cooperating opening permitting each individual tray to be removed from or installed in the frame (Column 6, lines 43-44). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the organizer taught by Cooper, Fredrickson, Gonzalez

Claims 17, 18, are rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper (US 3,193,339) in view of Fredrickson and Gonzalez, further in view of Shauck (US 710,526).

In re claim 17, Cooper in view of Fredrickson and Gonzalez discloses all of the features of the claimed invention as described above, but the disclosed releasable coupling lacks the feature of the protruding pins being carried by the gang bar and cooperating openings located in the bottom wall of the tray members. Shauck teaches a protruding pin (FIG 4, items 4, 9) corresponding to an opening (FIG 4, item 12) located in the bottom wall of a tray member (FIG 3, item 10). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the releasable coupling of the organizer taught by Cooper, Fredrickson, and Gonzalez with the structure of the releasable coupling taught by Shauck since such a modification would strengthen the integrity of the gang bar member disclosed by Fredrickson, and the tray member shown by Gonzalez already has cooperating openings that are inherently capable of being used with the protruding pin of Shauck.

In re claim 18, Cooper in view of Fredrickson, Gonzalez, and Shauck discloses all of the features of the claimed invention as described above, and Gonzalez further shows a tray member wherein the open top of the tray lies in a plane and wherein the tray when

Art Unit: 3618

mounted in the frame (FIG 1, item 10) is inherently capable of pivoting between a deployed position in which the plane of the open top is generally parallel to the frame front (FIG 2) and a retracted position in which the plane of the open tops is at an angle of about 15 degrees to 65 degrees to the frame front (i.e. when the frame side members, items 11/12, are at an angle of 15 to 65 degrees to a horizontal surface on which the base of the frame rests).

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper (US 3,193,339) in view of Fredrickson, Gonzalez, and Shauck, and further in view of Perkins. Cooper in view of Fredrickson, Gonzalez, and Shauck discloses all of the features of the claimed invention as described above, but the disclosed tray members lack front and back walls forming free edges with opposed spaced slots therein and further including dividers located in one or more of the opposed slots. Perkins teaches a removable tray (FIG 3, item 47) for a tool box that includes slots formed in the front and back walls of the tray to receive partition members (FIG 3, items 48), the partition members being locked to the free edges and extending to the bottom wall of the tray. The inside surface of the tray of Perkins is shown to be inherently capable of being unobstructed absent the presence of the partitions being locked to the front and back edges. Perkins also teaches a reason for such a system of slots and partitions as the ability to form different sized, or adjustable, compartments. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the tray member(s) of the organizer taught by Cooper, Fredrickson, Gonzalez, and Shauck, with the slots and partitions taught by Perkins for the reason stated above.

Art Unit: 3618

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper (US 3,193,339) in view of Fredrickson, Gonzalez, and Shauk. Cooper in view of Fredrickson, Gonzalez, and Shauck discloses all of the features of the claimed invention as described above, and Cooper also teaches an organizer tray wherein the front, bottom, and back walls of at least one of the trays are solid (FIG 1, items 23, 27).

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper (US 3,193,339) in view of Fredrickson, Gonzalez, and Shauk. Cooper in view of Fredrickson, Gonzalez, and Shauck discloses all of the features of the claimed invention as described above, and Gonzalez further shows a tray (FIG 1, item 30) wherein the front, bottom, and back walls are perforated. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the organizer taught by Cooper and Fredrickson, with a perforated tray as taught by Gonzalez, since such a modification, according to Gonzalez, would allow the tray to receive various components for drainage such as fish to be cleaned (Column 4, lines 19-21).

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper (US 3,193,339) in view of Fredrickson, Gonzalez, and Shauk, and further in view of Hobbs (1,404,958). Cooper in view of Fredrickson, Gonzalez, and Shauck discloses all of the features of the claimed invention as described above, however, is lacking in the addition of a shelf with circular openings for the receipt of spark plugs. Hobbs teaches a shelf formed with a number of circular openings (column 1, lines 45-46) shown in FIG 1 to be used for supporting spark plugs. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the organizer taught by Cooper, Fredrickson, Gonzalez, and Shauck, with the shelf of Hobbs, since such a

Art Unit: 3618

modification would allow the user to store screwdrivers, funnels, small crescent wrenches, and other objects with variable diameter shaft portions.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper (US 3,193,339) in view of Fredrickson, Gonzalez, and Shauk, and further in view of Buehler (US 5,803,422). Cooper in view of Fredrickson, Gonzalez, and Shauck discloses all of the features of the claimed invention as described above, however, is lacking in the addition of a magnetic plate secured to the bottom wall of one or more trays. Buehler teaches the use of a magnetic pad (FIG 4, item 42) in the bottom wall (FIG 4, item 15) of a tray (FIG 4, item 14) for tools or parts for use by a mechanic (Column 1, lines 7-8). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the tray member(s) of the organizer taught by Cooper, Fredrickson, Gonzalez, and Shauck, with the magnetic pad taught by Buehler since such a modification would, according to Buehler, provide suitable retention means for tools and parts.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper (US 3,193,339) in view of Fredrickson, Gonzalez, and Shauk, and further in view of Eriksson et al. Cooper in view of Fredrickson, Gonzalez, and Shauck discloses all of the features of the claimed invention as described above, but lacks a tray member wherein the walls of the tray are provided with a yellow zinc coating. Eriksson teaches the use of zinc coatings to provide metal parts with good corrosion resistance, and chromating said coating in yellow or other colors, such as green or black, for improved appearance. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the tray member(s) of the organizer taught by Cooper, Fredrickson,



Art Unit: 3618

Gonzalez, and Shauck, with the yellow zinc coating taught by Eriksson in order to provide the surfaces of the tray with a visually appealing, corrosion-resistant finish.

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper (US 3,193,339) in view of Fredrickson, Gonzalez, and Shauk. Cooper in view of Fredrickson, Gonzalez, and Shauck discloses all of the features of the claimed invention as described above, and Cooper also teaches an organizer tray wherein the junctions of the trays' front and bottom walls are rounded (FIG 1, item 27) and the junction of the bottom and back walls of the trays form about a 90 degree angle (FIG 1, 2).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Howard (US 4,531,646) teaches an organizer with pivoting trays including releasable mounting between the tray members and the frame via pins and vertically spaced inclined channels. The organizer also includes a gang bar slidably mounted parallel to the side walls of the frame being releasably connected to the tray members including pins carried by the gang bar corresponding to openings in the bottom wall of the tray members.

Watson (US 4,067,265) teaches an organizer including a gang bar slidably mounted at the rear center of the frame, including cooperating pin and opening mounting for the individual tray members.

Wolff (5,370,453) teaches an organizer including pivotably mounted tray members, including a rounded corner at the front and bottom wall interface, moved in unison by a gang bar slidably mounted parallel to the side walls of the frame. The tray

Art Unit: 3618

members' center of gravity is offset such that the open top of the tray would normally be in the open position at an acute angle to the front of the frame if not restrained.

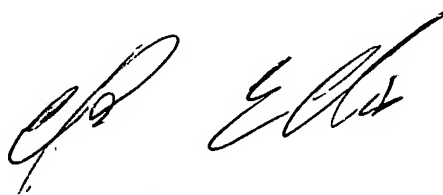
Wilson (US 5,595,395) teaches an organizer with pivotably mounted trays including pin and channel mounting that pivot freely with the movement of the frame from vertical to horizontal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vaughn T. Coolman whose telephone number is (571) 272-6014. The examiner can normally be reached on Monday thru Friday, 8am-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Ellis can be reached on (571) 272-6914. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

vtc



CHRISTOPHER P. ELLIS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

Travis Coolman  
Examiner  
Art Unit 3618